

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARTURO LABOY,)
Petitioner,)
v.) Civil Action No. 05-352-JJF
THOMAS L. CARROLL,)
Warden, and M. JANE)
BRADY, Attorney General)
of the State of)
Delaware,)
Respondents.)

AEDPA ELECTION FORM

1. _____ I wish the Court to rule on my § 2254 petition as currently pending. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this petition will be my one opportunity to seek federal habeas corpus relief.
2. _____ I wish to amend my § 2254 petition to include all the grounds I have. I will do so within thirty (30) days. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this amended all-inclusive petition will be my one opportunity to seek federal habeas corpus relief.
3. _____ I wish to withdraw my § 2254 petition without prejudice to file one all-inclusive petition in the future; that is, one

that raises all the grounds I have for federal habeas corpus relief. I realize this all-inclusive petition must be filed within the one-year period as defined by 28 U.S.C. § 2244(d). See Swartz v. Meyers, 204 F.3d 417 (3d Cir. 2000).

4. _____ I am not seeking federal habeas corpus relief under § 2254. I am instead seeking relief under _____.

Petitioner